

**TITLE 12. NATURAL RESOURCES****CHAPTER 14. ARIZONA POWER AUTHORITY**

(Authority: A.R.S. § 30-101 et seq.)

**ARTICLE 1. GENERAL**

*Article 1, consisting of Section R12-14-101, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 1, consisting of Sections R12-14-101 and R12-14-102, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-101. Definitions

R12-14-102. Repealed

**ARTICLE 2. AVAILABILITY OF LONG-TERM POWER; APPLICATION FOR ELECTRIC SERVICE; POWER PURCHASE CERTIFICATES**

*Article 2, consisting of Sections R12-14-201 through R12-14-203, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 2, consisting of Sections R12-14-201 and R12-14-202, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-201. Availability of Long-term Power; Contract Negotiations

R12-14-202. Application for Purchase of Electric Service

R12-14-203. Power Purchase Certificates; Application

**ARTICLE 3. SERVICE TO PURCHASERS**

*Article 3, consisting of Sections R12-14-301 and R12-14-302, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 3, consisting of Sections R12-14-301 thru R12-14-303, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-301. Authority's Service to Purchasers

R12-14-302. Systems and Operation Plans

R12-14-303. Repealed

**ARTICLE 4. ADMINISTRATION OF POWER**

*Article 4, consisting of Sections R12-14-401 through R12-14-405, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 4, consisting of Sections R12-14-401 thru R12-14-403, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-401. Sale, Use, Transfer, and Administration of Long-term Power

R12-14-402. Changing Points of Delivery; Switching of Electric Service among Points of Delivery

R12-14-403. Wheeling and Operating Agreements

R12-14-404. Disposition of Short-term Power

R12-14-405. Petition for Information, Advice, or Assistance

**ARTICLE 5. RECORDS**

*Article 5, consisting of Section R12-14-501, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 5, consisting of Sections R12-14-501 and R12-14-502, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-501. Purchaser's Records

R12-14-502. Repealed

**ARTICLE 6. CONFERENCES; APPEAL OF AGENCY ACTION**

*Article 6, consisting of Sections R12-14-601 through R12-14-*

*607, adopted effective November 1, 1993 (Supp. 93-4).*

*Article 6, consisting of Sections R12-14-601 thru R12-14-613, repealed effective November 1, 1993 (Supp. 93-4).*

## Section

R12-14-601. Conferences

R12-14-602. Appeal of Agency Action

R12-14-603. Repealed

R12-14-604. Repealed

R12-14-605. Repealed

R12-14-606. Repealed

R12-14-607. Renumbered

R12-14-608. Repealed

R12-14-609. Repealed

R12-14-610. Repealed

R12-14-611. Repealed

R12-14-612. Repealed

R12-14-613. Repealed

**ARTICLE 1. GENERAL****R12-14-101. Definitions**

In this Chapter, the definitions in A.R.S. Title 30, Chapter 1 and in A.R.S. Title 45, Chapter 10 apply and, unless the context otherwise requires, the following definitions also apply:

1. "Banked energy" means the electric energy held under an agreement for later delivery.
2. "Banking" means an agreement under which an Entity agrees to retain a portion of the Purchaser's electric energy for later delivery.
3. "Capacity" means the electric capability of an Electric Power System.
4. "Conference" means an informal proceeding before the Commission at which formal action will not be taken by the Commission.
5. "District" means any Power or water organization governed by A.R.S. Title 30, Chapter 1 or A.R.S. Title 48.
6. "Electric Power System" means the electric facilities and equipment by which:
  - a. Power is made available to a Purchaser; and
  - b. Power is delivered to a Purchaser's customer.
7. "Energy" means electric energy made available to a Purchaser.
8. "Entity" means any District, governmental agency, Operating Unit, or Person.
9. "Exchange" means a transfer of electric Power by a Purchaser to another Purchaser that is obligated to return a similar amount of Power upon terms and conditions and at the time or times approved by the Authority under R12-14-401(K).
10. "Load" means the electric Power required to meet a Purchaser's demand for electric service.
11. "Long-term Power" means any supply of Power that is available to the Authority for a period more than 366 consecutive days and that is subject to the jurisdiction of, and disposition by, the Authority, including any Power recaptured by the Authority and any Power tendered or relinquished by a Purchaser.
12. "Point of Delivery" means the point or points on a transmission system where the Authority makes Power available for delivery to a Purchaser.
13. "Power pooling" means an agreement for aggregating or

commingling the Long-term Power supplies of two or more Purchasers.

14. "Power Purchase Certificate" means the certificate required before a Purchaser enters into a Power Sales Contract under A.R.S. § 30-151 et seq.
15. "Power Sales Contract" means a contract under which the Authority sells Long-term Power to a Purchaser.
16. "Preference" means the priority of entitlement to Power according to A.R.S. § 30-125 or A.R.S. § 45-1708.
17. "Purchaser" means any Qualified Entity that contracts to purchase Power from the Authority under A.R.S. Title 30, Chapter 1 or under A.R.S. Title 45, Chapter 10.
18. "Qualified Entity" means any Entity that is eligible to purchase Power from the Authority under A.R.S. Title 30, Chapter 1 or A.R.S. Title 45, Chapter 10.
19. "Recapture" means the recovery or retaking by the Authority from a Purchaser of Long-term Power that exceeds the Purchaser's needs, for reallocation among other Qualified Entities.
20. "Relinquish" means a Purchaser's return of unneeded Power to the Authority.
21. "Secretary" means the person designated by the Commission to act as the official Secretary or as the Assistant Secretary of the Authority.
22. "Service Territory" means the geographic area in which Power is sold or used by a Purchaser and is described in a Power Purchase Certificate or an amendment to a Power Purchase Certificate.
23. "Short-term Power" means any supply of Power made available by or through the Authority for a period of no more than 366 consecutive days.
24. "Tender" means a Purchaser's offer to return unneeded Power to the Authority.
25. "Wheeling" means delivery of Power over the transmission system of another Entity.

#### Historical Note

Former Rule Article I. Not in original publication, correction, paragraph (5) (Supp. 75-1). Former Section R12-14-01 renumbered as Section R12-14-101 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

#### R12-14-102. Repealed

#### Historical Note

Former Rule Article II. Former Section R12-14-02 renumbered as Section R12-14-102 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

### ARTICLE 2. AVAILABILITY OF LONG-TERM POWER; APPLICATION FOR ELECTRIC SERVICE; POWER PURCHASE CERTIFICATES

#### R12-14-201. Availability of Long-term Power; Contract Negotiations

- A. Except as provided in R12-14-401(B), if the Authority decides that a supply of Long-term Power is available, the Authority shall give public notice that it will receive applications for electric service from prospective Purchasers. The public notice shall include the date, time, and place for the public information Conference at which the Authority shall provide a preliminary proposal for the allocation and marketing of available Long-term Power.
- B. The Authority shall give public notice of the date, time, and place for a public comment Conference to be held not more than 60 days after the date of the public information Conference held under subsection (A). An interested party may

appear at the public comment Conference and present oral and written comments on the Authority's Long-term Power proposal provided at the public information Conference held under subsection (A).

- C. Public notice required by subsections (A) and (B) shall be mailed to:
  1. Existing Purchasers;
  2. Prospective Purchasers that notify the Authority of their interest in applying for Long-term Power; and
  3. Other Qualified Entities on the Authority's mailing list.
- D. Public notice required by subsections (A) and (B) shall be published in a newspaper of statewide circulation once each week for two consecutive weeks.
- E. A Qualified Entity wanting to enter into a Power Sales Contract shall file an application for electric service under R12-14-202. The application shall be filed on or before the due date specified in the Authority's notice of intent to receive applications for electric service.
- F. Not later than 60 days after the due date for filing an application for electric service, the Authority shall notify all interested parties of the names and addresses of the prospective Purchasers that are eligible to enter into a Power Sales Contract. The Authority shall include in the notice a proposed allocation of Long-term Power to the eligible prospective Purchasers.
- G. Not later than 90 days after notification of eligibility and of the proposed allocation, the Authority shall present a draft form of contract to each eligible prospective Purchaser and begin contract negotiations.
- H. After contract negotiations are completed, the Authority shall prepare Power Sales Contracts and fix a date for contract signing.
- I. In allocating Long-term Power, the Authority shall consider:
  1. The financial interest and obligation of the Authority; and
  2. The needs and interests of the Purchaser, customers of the Purchaser, and prospective Purchasers.
- J. Within each class of preference priorities established by A.R.S. § 30-125(A), the Authority shall allocate Long-term Power equitably among Qualified Entities in the same preference class based upon the needs of the Entities and the type of use of Long-term Power.
- K. In deciding whether to allocate or reallocate Long-term Power, the Authority shall consider other sources of Power available to the prospective Purchaser from the federal government.

#### Historical Note

Former Rule Article III. Not in original publication, correction, paragraph (5) (Supp. 75-1). Former Section R12-14-11 renumbered as Section R12-14-201 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

#### R12-14-202. Application for Purchase of Electric Service

- A. A Qualified Entity that desires to purchase Long-term Power shall file a written application for electric service with the Authority. The application shall include the following:
  1. The Entity's proposed use of Long-term Power;
  2. The Point or Points of Delivery where the Entity will receive electric service;
  3. The annual energy requirement stated in kilowatt-hours, for each Point of Delivery;
  4. The maximum capacity requirement stated in kilowatts, for each Point of Delivery during a continuous 12-month period; and
  5. A statement of the Entity's kilowatt and kilowatt-hour sales or usage during each of the 24 months immediately

preceding the date of the application, divided into reference classifications, such as residential, commercial, irrigation pumping, industrial, public use, or other classification used by the Entity or recognized in the electric utility industry.

- B. An application form for electric service is available at the Authority's business office.
- C. If the Authority determines that an applicant is eligible to enter into a Power Sales Contract for Long-term Power offered under A.R.S. Title 30, Chapter 1, the applicant, within 30 days after receipt of notice of eligibility, shall file an application for a Power Purchase Certificate under R12-14-203.
- D. The holder of an existing Power Purchase Certificate is required to re-apply for a Power Purchase Certificate only if the holder wants to use the Long-term Power acquired under A.R.S. Title 30, Chapter 1, in a Service Territory that differs from the Service Territory described in the holder's existing Power Purchase Certificate.

#### Historical Note

Former Rule Article IV. Not in original publication, correction, Paragraph (6) (Supp. 75-1). Former Section R12-14-12 renumbered as Section R12-14-202 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

#### R12-14-203. Power Purchase Certificates; Application

- A. An application for a Power Purchase Certificate, or an application to amend an existing Power Purchase Certificate, shall be dated, signed, and verified by the applicant or the applicant's authorized representative. An original and five copies of the application and any documents, maps, or other written material to which reference is made in the application shall be filed with the Authority.
- B. An application form for a Power Purchase Certificate is available at the Authority's business office.
- C. The application shall include the information required by A.R.S. § 30-152 and the following:
  1. A statement of the nature of the applicant's business, and applicant's legal status (for example, a corporation, a partnership, or other business type);
  2. The applicant's mailing address;
  3. A detailed description of the proposed Service Territory;
  4. The name and mailing address of the principal executive officer or secretary of each Entity engaged in the distribution of Power within the proposed Service Territory or contiguous to the Proposed Service Territory;
  5. The estimated amount of Long-term Power for each use proposed by the applicant;
  6. Whether the applicant intends to sell Long-term Power on a profit or a non-profit basis;
  7. Whether the applicant intends to use Long-term Power for its own use, resell Long-term Power, or use and resell the Long-term Power;
  8. A detailed description of the applicant's Electric Power System for the use of Long-term Power;
  9. A copy of any agreement under which the applicant intends to use an Electric Power System owned by another Entity;
  10. The details of any plan under which the applicant proposes to construct, purchase, lease, or obtain the use of an Electric Power System for sale or distribution of Long-term Power; and
  11. An explanation of any arrangements with other Entities for the use of electrical equipment or facilities that the applicant needs in order to use Long-term Power. If any

other Entity claims ownership of, or transmission rights on, any electric facilities to be used or if the applicant will duplicate another Entity's electric facilities, the applicant shall disclose that information. If the applicant's arrangements appear to conflict with the rights of another Entity, the applicant may file an affidavit signed by an authorized officer of the affected Entity, describing the affected Entity's agreement to the arrangements for the applicant's use.

- D. When the application is filed, the Authority shall immediately set a date for a hearing under A.R.S. § 30-152.
- E. A Power Purchase Certificate is in effect only during the time the holder of the Power Purchase Certificate has an existing Power Sales Contract with the Authority.
- F. The holder of a Power Sales Contract shall use Power acquired under A.R.S. Title 30, Chapter 1 only in the Service Territory established by the legal description in the Power Purchase Certificate.
- G. The holder of a Power Purchase Certificate shall not assign the Power Purchase Certificate without the prior written approval of the Authority.

#### Historical Note

Adopted effective November 1, 1993 (Supp. 93-4).  
Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

### ARTICLE 3. SERVICE TO PURCHASERS

#### R12-14-301. Authority's Service to Purchasers

- A. The Authority shall contract with a Purchaser to deliver Long-term Power only if transmission capability is available to ensure delivery of Long-term Power to the Purchaser at the Point or Points of Delivery to be designated in the Power Sales Contract. The Authority may also contract with a Purchaser to provide opportunities for connection between the Purchaser's Electric Power System and the Electric Power System of other Entities.
- B. Before Long-term Power is made available to a Purchaser, the Purchaser shall provide evidence to the Authority that a transmission system is available to enable the Purchaser to take and receive Long-term Power at the locations and voltages designated by the Authority.
- C. Unless the Authority agrees to provide facilities or enter into agreements for the transmission of electric Power, the facilities or agreements must be provided by the Purchaser.
- D. The Authority may obtain an alternative or an additional source of transmission service to serve the needs of a Purchaser.
- E. The Purchaser shall pay any costs or expenses necessary to provide transmission service to the Purchaser.
- F. By agreement with one or more Purchasers, the Authority may construct electric lines and related facilities of the voltage and capacity needed to serve the Purchaser. The agreement must assure full payment by the users of the operating costs, depreciation and interest, and any other costs or expenses associated with the project, during a 40-year amortization period or other period established by law or contract. If the Authority constructs the facilities, the Authority shall determine the incremental costs to be paid by the Purchaser or other user benefitting from the facilities constructed by the Authority.
- G. With the aid of Purchasers, the Authority shall work to maintain a system of load scheduling and records so that the Authority may reasonably predict:
  1. A Purchaser's current and future Power needs;
  2. Whether a Purchaser should be allowed or required to relinquish Long-term Power that is surplus to the Purchaser's needs; and

3. Whether a Purchaser will have Long-term Power that is temporarily or permanently surplus to the Purchaser's needs.

**H.** The Authority shall periodically perform surveys to:

1. Identify sources of Power or transmission service that may be temporarily or permanently available to the Authority;
2. Identify possible markets for available Power resources; and
3. Identify possible markets for recaptured, relinquished, tendered, or temporarily available surplus Long-term Power.

**Historical Note**

Former Rule Article V. Former Section R12-14-21 renumbered as Section R12-14-301 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-302. Systems and Operation Plans**

For the Authority's information and assistance in the administration of its Power Sales Contracts, a Purchaser that does not manage and operate its own Electric Power System shall, at the Authority's request, submit a plan for the use and administration of Long-term Power. The Purchaser shall attach to the plan, maps, specifications, and agreements necessary to disclose the nature and extent of the plan.

**Historical Note**

Former Rule Article VI. Not in original publication, correction, subsections (C) and (D) (Supp. 75-1). Former Section R12-14-22 renumbered as Section R12-14-302 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-303. Repealed**

**Historical Note**

Former Rule Article VII. Former Section R12-14-23 renumbered as Section R12-14-303 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**ARTICLE 4. ADMINISTRATION OF POWER**

**R12-14-401. Sale, Use, Transfer, and Administration of Long-term Power**

- A.** A Purchaser shall not enter into an agreement for power pooling affecting Power under the Authority's jurisdiction without the prior written approval of the Authority. The Authority shall not unreasonably withhold approval.
- B.** Subject to the terms of a Purchaser's Power Sales Contract, a Purchaser may tender or relinquish surplus Long-term Power to the Authority for resale by the Authority.
- C.** The Authority shall use its best efforts to sell a Purchaser's tendered or relinquished Long-term Power and shall apply the net proceeds from the sale toward the Purchaser's payment obligations under the Purchaser's Power Sales Contract.
- D.** Long-term Power tendered or relinquished to the Authority shall be returned to the Purchaser not more than 60 days after the Authority's receipt of the Purchaser's written notice that the Purchaser requires a return of the tendered or relinquished Long-term Power to meet the Purchaser's loads.
- E.** The tender or relinquishment of Long-term Power shall not relieve the Purchaser of its obligations under its Power Sales Contract. The tender or relinquishment of Long-term Power shall not be deemed to be a recapture by the Authority unless:

1. The tender or relinquishment is for the unexpired term of the Purchaser's Power Sales Contract; and
2. The Authority has contracted to sell the tendered or relinquished Long-term Power to another Qualified Entity under the same terms and conditions as those contained in the Purchaser's Power Sales Contract.

**F.** Subject to the terms of a Purchaser's Power Sales Contract, if the Long-term Power purchased from the Authority exceeds the Purchaser's electric load for three consecutive contract years, the Authority may recapture the excess Long-term Power as follows:

1. The Authority shall give the Purchaser at least 30 days' written notice of a conference concerning the Authority's consideration of the possible recapture of Long-term Power;
2. The Authority shall determine whether any portion of the Purchaser's Long-term Power allocation can reasonably be expected to exceed the Purchaser's future needs, and the Authority may recapture the excess portion;
3. Subject to Article 6 of this Chapter, any recapture of Long-term Power is effective 60 days after the Purchaser receives a Notice of Recapture from the Authority, or at a later date specified in the Notice of Recapture; and
4. Any recapture of Long-term Power reduces the Purchaser's allocation of Long-term Power by the amount of Long-term Power recaptured by the Authority.

**G.** A Purchaser shall not transfer or assign a Power Sales Contract or any interest in a Power Sales Contract without prior written approval by the Authority. The transfer or assignment of a Power Sales Contract or any interest in a Power Sales Contract does not relieve the Purchaser from any obligation under the Purchaser's Power Sales Contract.

**H.** The Authority shall not approve an assignment of a Power Sales Contract, or any interest in a Power Sales Contract that:

1. Conflicts with any provision of law;
2. Conflicts with the Authority's regulations;
3. Conflicts with any provision of a Purchaser's Power Sales Contract;
4. Disrupts established Power practices, an Electric Power System, or electric facilities;
5. Results in an increased cost of service to other Purchasers; or
6. Confers a preference upon an Entity not entitled to preference.

**I.** The Authority shall not approve an assignment of a Power Sales Contract or an interest in a Power Sales Contract if the Authority determines that the assignment is discriminatory or that the Long-term Power or rights to Long-term Power should be recaptured by the Authority for reallocation, sale, or other disposition to other Qualified Entities.

**J.** A Power Sales Contract may restrict or prohibit the wholesale sale or resale of Long-term Power by the Purchaser.

**K.** The holder of a Power Purchase Certificate shall use Long-term Power only for the purposes and uses for which it is allocated and sold. Long-term Power allocated and sold under A.R.S. Title 30, Chapter 1 shall be used only within the Service Territory established in the Purchaser's Power Purchase Certificate, unless otherwise authorized in writing by the Authority. The Authority may authorize banking of electric energy and exchange of banked energy between Purchasers under terms and conditions approved by the Authority.

**Historical Note**

Former Rule Article VIII. Not in original publication, correction, subsection (G) (Supp. 75-1). Former Section R12-14-31 renumbered as Section R12-14-401 (Supp. 85-6). Section repealed, new Section adopted effective

November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-402. Changing Points of Delivery; Switching of Electric Service Among Points of Delivery**

The Authority may allow a Purchaser to change its electric service from a Point of Delivery to another Point or Points of Delivery. Each Point of Delivery shall be a separate Point of Delivery for the Authority's billing purposes unless a new Point of Delivery replaces an existing Point of Delivery. A Purchaser cannot change or switch its electric service between the Purchaser's Points of Delivery and the Points of Delivery of other Purchasers without the prior written approval of the Authority.

**Historical Note**

Former Rule Article IX. Former Section R12-14-32 renumbered as Section R12-14-402 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-403. Wheeling and Operating Agreements**

- A. A Purchaser who wants to enter into an agreement for power pooling or an agreement with another Entity with regard to power operations, transmission, or wheeling involving Long-term Power shall:
  1. Petition the Authority for permission to enter into an agreement;
  2. State in the petition all relevant facts and the reasons for the proposed agreement; and
  3. Give the Authority a copy of any proposed agreement and other information, data, and documents requested by the Authority.
- B. A Purchaser shall not enter into an agreement for the transmission or wheeling of Long-term Power over the facilities of another Entity without the prior written approval of the Authority.
- C. An operating agreement, transmission agreement, power pooling agreement, or wheeling agreement shall not be approved by the Authority if the agreement:
  1. Conflicts with the provisions of any Power Sales Contract;
  2. Results in disruption of established electric service, operations, practices, systems, or facilities; or
  3. Endangers electric service to other Purchasers, to third parties, or to the general public.

**Historical Note**

Former Rule Article X. Former Section R12-14-33 renumbered as Section R12-14-403 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-404. Disposition of Short-term Power**

The Authority may negotiate and enter into contracts with Qualified Entities for the sale, purchase, exchange, or other disposition of Short-term Power.

**Historical Note**

Adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-405. Petition For Information, Advice, or Assistance**

- A. Under A.R.S. § 30-129 and A.R.S. Title 45, Chapter 10, any Entity may petition the Authority for information, advice, or

assistance regarding any matter within the jurisdiction of the Authority. The petition shall be in writing and shall include:

1. The names of all interested or affected Entities;
  2. The basis for the requested information, advice, or assistance;
  3. The location of any Project involved;
  4. The action requested of the Commission; and
  5. Other information or relevant matter that may assist the Commission in acting upon the petition.
- B. The Commission may direct the Authority staff or an Authority consultant to conduct preliminary studies, surveys, or investigations with respect to any requested action.
  - C. If appropriate, the Commission shall schedule a Conference. The Authority shall notify all interested Entities that they may make an oral or written presentation and file documents, reports, or other material relevant to the requested action.

**Historical Note**

Adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**ARTICLE 5. RECORDS**

**R12-14-501. Purchaser's Records**

At the request of the Authority, a Purchaser shall file copies of agreements for the purchase, sale, exchange, transmission, banking, power pooling, or wheeling of Long-term Power between the Purchaser and any Entity other than the Authority, together with all current rate schedules and amendments.

**Historical Note**

Former Rule Article XI. Former Section R12-14-41 renumbered as Section R12-14-501 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-502. Repealed**

**Historical Note**

Former Rule Article XII. Not in original publication, correction subsections (A) and (B) (Supp. 75-1). Former Section R12-14-42 renumbered as Section R12-14-502 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**ARTICLE 6. CONFERENCES; APPEAL OF AGENCY ACTION**

**R12-14-601. Conferences**

- A. After first giving not less than 10 days' public notice and an opportunity to comment, the Commission may hold a Conference concerning any subject matter within the jurisdiction of the Authority. The Commission shall determine the Conference agenda. A Conference is intended to provide information and receive comments regarding any pending or proposed course of action by the Commission. A formal or binding action shall not be taken by the Commission at a Conference.
- B. Except as otherwise provided in these rules, the Commission shall establish the date, time, and place of any Conference and may continue, adjourn, or reschedule any Conference.

**Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article I, adopted effective November 14, 1952, renumbered as Section R12-14-601 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Former Section R12-14-601 repealed; new Section R12-14-601 renum-

bered from R12-14-607 and amended by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-602. Appeal of Agency Action**

Any decision or action by the Commission that determines the legal rights, duties, or privileges of an Entity with regard to any matter under the jurisdiction of the Commission is an “appealable agency action” as defined in, or limited by, A.R.S. § 41-1092.

**Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article II, adopted effective November 14, 1952, renumbered as Section R12-14-602 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section repealed; new Section made by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-603. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article III, adopted effective November 14, 1952, renumbered as Section R12-14-603 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section repealed by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-604. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article IV, adopted effective November 14, 1952, renumbered as Section R12-14-604 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section repealed by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-605. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article V, adopted effective November 14, 1952, renumbered as Section R12-14-605 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section repealed by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-606. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article VI, adopted effective November 14, 1952, renumbered as Section R12-14-606 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section repealed by final rulemaking at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1).

**R12-14-607. Renumbered****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article VII, adopted effective November 14, 1952, renumbered as Section R12-14-607 (Supp. 85-6). Section repealed, new Section adopted effective November 1, 1993 (Supp. 93-4). Section renumbered to R12-14-601 at 9 A.A.R. 370, effective March 15, 2003 (Supp. 03-1-1).

**R12-14-608. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article VIII, adopted effective November 14, 1952, renumbered as Section R12-14-608 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**R12-14-609. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article IX, adopted effective November 14, 1952, renumbered as Section R12-14-609 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**R12-14-610. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article X, adopted effective November 14, 1952, renumbered as Section R12-14-610 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**R12-14-611. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article XI, adopted effective November 14, 1952, renumbered as Section R12-14-611 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**R12-14-612. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article XII, adopted effective November 14, 1952, renumbered as Section R12-14-612 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).

**R12-14-613. Repealed****Historical Note**

Correction, not in original publication; former Rules of Practice and Procedure, Article XIII, adopted effective November 14, 1952, renumbered as Section R12-14-613 (Supp. 85-6). Section repealed effective November 1, 1993 (Supp. 93-4).